

Application Serial No. 10/661,110

REMARKS

1. Applicant thanks the Office for its remarks and observations which have greatly assisted Applicant in responding.

2. **35 U.S.C. § 112**

Claims 1-28 are rejected as being indefinite for failing to particularly point out and distinctly claims the subject matter which Applicant regards as the invention. Specifically it is alleged that the claims omit essential structural relationships of the claim element. The Office notes that it is unclear how the claims transition from receiving composite audio and video signals from each site to receiving audio-only signals from each site. To describe the subject matter of the claims more clearly, Applicant amends the independent claims to make it clear that the composite audio and video signals are received separately from each site and are transmitted to the sites separately from the composite signal.

Support for the amendment is found at ¶¶ 0013 and 0014 of U.S. patent application publication no. 2005/0058287. Because the amendment makes it clear that the composite signals and the audio-only signals are separately received and transmitted by the hub, the present rejection is deemed overcome.

3. **35 U.S.C. § 102**

Claims 1-2, 8-14, 25 and 27 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent application publication no. 2004/0008635 ("Nelson"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome. There is no teaching or suggestion in Nelson that the hub receives a composite audio/video signal from each site and separately receives an audio-only signal from each site, and that the hub transmits a composite audio/video signal to each site, and separately transmits the audio-only signal received from each site.

As described in ¶ 0079 of Nelson, it appears that the hub transmits an audio/video signal to the client, but there is no evidence that an audio-only signal is separately transmitted to the client. ¶¶ 0015 and 0016 of Nelson describe the

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transmission of audio and video from the client to the hub, but it is unclear whether the audio and video are separately transmitted to the hub, or whether they are transmitted to the hub as a composite signal. However, it is clear that the above paragraphs do not teach or describe transmission from a site to the hub of both a composite audio/video signal and a separate audio-only signal.

Even if claim 1 had not been amended, the present rejection would be improper. The Office relies on ¶¶ 0015, 0016 and 0055 of Nelson as teaching the subject matter of claim 1. As above, ¶¶ 0015 and 0016 of Nelson only describe the transmission of audio and video from the client to the hub. It is not stated whether the audio and video are separately transmitted or transmitted as a composite signal.

¶ 0055, describing the transcoding capability of Nelson's media mixer, has nothing at all to do with the subject matter of the claims, and Applicant does not understand the Office's rationale in citing ¶ 0055. Transcoding, as described in Nelson, is the process of converting a signal from one format to another; from beta to VHS, for example. Transcoding has nothing to do with the subject matter of the claims.

¶ 0079 does describe transmission of audio/video signal to the client, but there is no teaching that an audio-only signal is transmitted to the client from the hub. Therefore, even if claim 1 had not been amended, the present rejection would have been improper.

Claim 13 has been amended in similar fashion to claim 1. The above remarks therefore apply equally to claim 13. The rejection of claim 13 is therefore deemed overcome/improper.

In view of their dependence from allowable parent claims, the dependent claims are deemed allowable without any separate consideration of their merits.

4. 35 U.S.C. § 103

Claims 3-7, 15-19 and 25-28 are rejected as being unpatentable over Nelson in view of U.S. patent no. 5,936,662 ("Kim"). In view of the foregoing amendment to claims 1 and 13, the present rejection is deemed overcome as to claims 3-7 and 15-19. Even if claim 1 had not been amended, the present rejection would be improper for the reasons discussed above regarding claims 1 and 13.

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Claim 25: As discussed above regarding claims 1 and 13, Nelson does not teach or suggest transmission of both composite signals and audio-only signals from a site to a hub and transmission of both composite signals and audio-only signals to a site from the hub. Claim 25 has been amended in similar fashion to claims 1 and 13. Kim adds nothing to Nelson. The present rejection is therefore deemed overcome.

Even if claim 25 had not been amended, the present rejection would be improper. The Office relies on Kim as teaching encryption and compression of a signal. While Kim does describe compression of a signal, Applicant has diligently searched Kim and finds no mention at all of encryption. Accordingly, the combination fails to teach or suggest all elements of the subject matter of claim 25. The present rejection would therefore have been improper, even if it had not been amended.

Claim 26: Claim 26 is amended in similar fashion to claims 1, 13 and 25. The above remarks regarding these claims apply equally to claim 26. The present rejection is therefore deemed improper/overcome.

Claim 27: Claim 27 is amended in similar fashion to claims 1, 13, 25 and 27. The above remarks regarding these claims apply equally to claim 27. The present rejection is therefore deemed improper/overcome.

Claim 28: Claim 28 is amended in similar fashion to claims 1, 13, 25 and 27. The above remarks regarding these claims apply equally to claim 28. The present rejection is therefore deemed improper/overcome.

5. No new matter is added by way of the foregoing amendments. The above amendments are made only for expediency, in deference to the Office policy of compact prosecution. They are not to be taken as agreement with the Examiner's position. They do not signify intent to sacrifice claim scope. In fact, Applicant expressly reserves the right to pursue patent protection of a scope it reasonably believes it is entitled to in one or more submissions to the Office.

6. For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions

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based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art

CONCLUSION

In view of the foregoing, the Application is deemed in allowable condition. Accordingly, Applicant respectfully requests reconsideration and prompt allowance of the claims. Should the Examiner have any questions regarding the Application, he is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,



Jeffrey Brill

Reg. No. 51,198

Customer No. 22862